

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
Southern Division**

JOHN ACKER, et al.,

Plaintiffs,

vs.

DOEREN MAYHEW & COMPANY, et al.,

Defendants.

Case No. 08-11261

_____/ Honorable Arthur J. Tarnow

WILLIAM BIRCHFIELD, et al.,

Magistrate Judge Mark A. Randon

Plaintiffs,

vs.

DOEREN MAYHEW & COMPANY, et al.,

Defendants.

_____/

**PLAINTIFFS' RULE 41 NOTICE OF DISMISSAL
ON BEHALF OF CERTAIN PLAINTIFFS**

PLEASE TAKE NOTICE THAT, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), the following Plaintiffs, through their undersigned counsel, hereby dismiss without prejudice their claims brought in the *Acker* action, Case No. 08-11261. This notice is not a dismissal of any claim filed on behalf of any other plaintiff in either of the consolidated actions.

The Plaintiffs dismissing their claims without prejudice pursuant to this notice are as follows:

No. Name

1. American Alloys, Inc., a Michigan Corporation.

2. Arya, Phrashant, an individual.
3. Barker, Katherine, an individual.
4. Barker, Michael, an individual.
5. Bengala, Amy, an individual.
6. Bertucci, Loretta, an individual.
7. Bishop, Alan, an individual.
8. Bittker, Ronald E., an individual.
9. Bohn, Thomas, an individual.
10. Bohn, Mary, an individual.
11. Bokovoy, James, an individual.
12. Bokovoy, Linda, an individual.
13. Borowy, Keith, an individual.
14. Borowy, Karen, an individual.
15. Boylan, Richard W., an individual.
16. Boylan, Carol, an individual.
17. Brown, Donald, an individual.
18. Brown, Kristen, an individual.
19. Brown, Masha, an individual.
20. Carroll, David, an individual.
21. Christie, Judith, an individual.
22. Christopher, Dorothy, an individual.
23. Christopher, John, an individual.
24. Dertinger, Delores, an individual.

25. Ellison, Rossette, an individual.
26. Ferber, Fred, an individual.
27. Fournier, Aaron, an individual.
28. Fournier, Kathleen, an individual.
29. Giles, Anne A., an individual.
30. Giles, Daniel K., an individual.
31. Golden, Kimberly, an individual.
32. Goren, Eleanor, an individual.
33. Goren, Fred, an individual.
34. Gregory, Debra, an individual.
35. Gross, Lindsay, an individual.
36. Hadden, Harold, an individual.
37. Hadden, Joanne, an individual.
38. Hale Trust.
39. Hambley, Catherine, an individual.
40. Hambley, Richard, an individual.
41. Hardesty, Ferne, an individual.
42. Howe, Beverly, an individual.
43. Howe, Wallace, an individual.
44. Huff, Carma, an individual.
45. Huff, Kenneth, an individual.
46. Jordan, Thomas, an individual.
47. Kefalos, John, an individual.

48. Kennedy, Daniel, an individual.
49. Kennedy, Lisa, an individual.
50. Kerr, Judy, an individual.
51. Kubani, Victor, an individual.
52. Lewis, Nicole, an individual.
53. Mannino, Salvatore, an individual.
54. Nicholson, Brian, an individual.
55. Nicholson, Catheryne, an individual.
56. O'Bryan, Patrick, an individual.
57. Paddison, Richard, an individual.
58. Paddison, Wendy, an individual.
59. Pawloske, Debra, an individual.
60. Pawloske, Michael, an individual.
61. Pedlaw, Gerald J., an individual.
62. Peterson, Donald, an individual.
63. Peterson, Daphne, an individual.
64. Pew, Suzanne, an individual.
65. Poletes, George, an individual.
66. Russ, Kathleen, an individual.
67. Shaver, Beverly, an individual.
68. Smietana, Stefan, an individual.
69. Smietana, Susan, an individual.
70. Smith, Bryan, an individual.

- 71. St. Louis, William, an individual.
- 72. Steuer, Arthur, an individual.
- 73. Steuer, Helaine, an individual.
- 74. Vellanoweth, Cristina, an individual.
- 75. Vellanoweth, Roberto, an individual.
- 76. Weremy, James, an individual.
- 77. Weremy, Judy, an individual.
- 78. Williams, James, an individual.
- 79. Winshall, Brian, an individual.
- 80. Zerba, Julie, an individual.

Dated: October 12, 2010

Respectfully submitted,

/s/ Nigel L. Wilkinson

Nigel L. Wilkinson (admitted to EDMI)
PATTON BOGGS LLP
2550 M Street, NW
Washington, DC 20037
(202) 457-6000
nwilkinson@pattonboggs.com

R. Christopher Cataldo (P39353)
Jaffe, Raitt, Heuer & Weiss, PC
27777 Franklin Road, Suite 2500
Southfield, MI 48034
(248) 351-3000
ccataldo@jaffelaw.com

Scott L. Silver
Blum & Silver, LLP
12540 West Atlantic Blvd.
Coral Springs, FL 33071
(954) 255-8181
silver@stockattorneys.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2010, I electronically submitted the foregoing *Plaintiffs' Notice of Dismissal* with the Clerk of the Court using the ECF system which will send notification of such filing to counsel for the defendants Dennis M. Haffey at dhaffey@dykema.com, Benjamin W. Jeffers at bjeffers@dykema.com, and Scott T. Seabolt at seabolt@foley.com.

/s/ Nigel L. Wilkinson

Nigel L. Wilkinson (admitted to the EDMI)
Patton Boggs LLP
2550 M Street, NW
Washington, DC 20037
(202) 457-6000
nwilkinson@pattonboggs.com

Counsel for Plaintiffs